

ORDINANCE NO. 20151110-A.7

AN ORDINANCE EXTENDING THE BOUNDARY LIMITS OF THE CITY TO INCLUDE WITHIN THE FULL PURPOSE CITY LIMITS, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "LOST CREEK MUD REMAINING PROPERTY," CONSISTING OF APPROXIMATELY 738 ACRES OF LAND OUT OF THE JOHN SWESEY SURVEY NO. 506, THE ALEXANDER EANES SURVEY NO. 506 AND THE ALEXANDER EANES SURVEY NO. 507 IN TRAVIS COUNTY, TEXAS IN ACCORDANCE WITH THE STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY AND THE LOST CREEK MUNICIPAL UTILITY DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- (A) The City and Lost Creek Municipal Utility District ("MUD") negotiated a Strategic Partnership Agreement ("SPA"), in accordance with state law, specifying terms for annexation and related issues. Following arbitration and litigation over the Agreement, the Agreement was upheld, and the parties executed the Agreement. The SPA was amended on March 12, 2013.
- (B) The annexation of the territory described in Exhibit A serves the interest of the current and future residents of the City of Austin.
- (C) All procedural requirements imposed by state law and the SPA for the full purpose annexation of territory described in Exhibit A have been met.

PART 2. The territory described in Exhibit A is annexed for full purposes as provided by the SPA and authorized by Section 43.0751 of the Texas Local Government Code effective December 15, 2015.

PART 3. As provides by the SPA, the MUD is converted to the Lost Creek Limited District ("Limited District") on December 15, 2015. The Limited District shall maintain, operate, control, and assume responsibility for the Limited District Facilities located within the Limited District pursuant to the terms of the SPA. In accordance with state law, the City shall assume ownership of property and other assets and shall assume debts, liabilities, and obligations of the MUD as described in the SPA.

PART 4. The City Council declares that its purpose is to include within the City of Austin each part of the area described in Exhibit A as provided in this ordinance,

regardless of whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

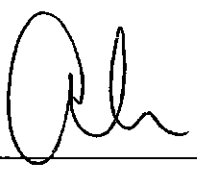
If any area or lands included within the description of the area set out in Exhibit A are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town, or village; or (3) are not within the jurisdiction or power of the City of Austin to include within the City, then that area is excluded and excepted from the area covered by this ordinance.

PART 5. This ordinance takes effect on December 15, 2015.

PASSED AND APPROVED

_____, November 10, 2015

APPROVED:



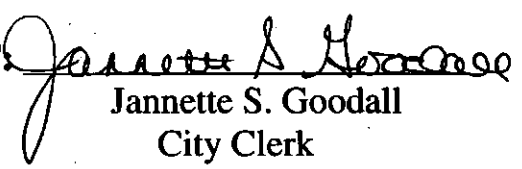
Anne L. Morgan
Interim City Attorney

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Steve Adler
Mayor

ATTEST:



Jannette S. Goodall
City Clerk

EXHIBIT A

C7a-2015-0001

Area to be annexed.

(Approximately 738 acres of land out of the Patterson Moore Survey No. 84, Abstract No. 563, the Alexander Eanes Survey No. 506, Abstract No. 271, the John L. Bray Survey No. 72, Abstract No. 74, the Joseph Fessenden Survey No. 73, Abstract No. 291, the John Swesey Survey No. 506, Abstract No. 702 and the Jacob Standerford Survey No. 100, Abstract No. 741 in Travis County, Texas)

(Brewer & Grandanetti Resubdivision, Canyon Vista Condominiums, Lost Creek Section One, Lost Creek Section Two, Lost Creek Section Three-A, Lost Creek Section Four, Lost Creek Hilltop, The Hills of Lost Creek Section One, The Hills of Lost Creek Section Two, The Hills of Lost Creek Section Three, Portion of The Hills of Lost Creek Section Four Phase A, The Hills of Lost Creek Section Four Phase B, The Hills of Lost Creek Section Five, The Hills of Lost Creek Section Seven-A, The Hills of Lost Creek Section Eight, The Hills of Lost Creek Section Nine, The Hills of Lost Creek Section Ten, The Bluffs of Lost Creek, Best Part of Lost Creek, Woodslopes of Lost Creek Condominiums, The Valley at Lost Creek Phase One, The Valley at Lost Creek Phase Two, The Valley at Lost Creek Phase Three, The Ridge at Lost Creek Condominiums, Amended Plat of Lots 5 & 6 Block "S" The Hills of Lost Creek Section Four Phase A and Lot 26 Block "S" The Hills of Lost Creek Section Four Phase

B, Portion of Amended Plat of Lot 19 and Lot 20 Block "8" Lost Creek Section Two, Amended Plat of Lot 11 Camelot Section One and Lots 1 and 2 Block "Q" The Hills of Lost Creek Section Four Phase A, Resubdivision of Lots 1 & 27 Block 2 Lost Creek Section Two, Amended Plat of Lots 14 and 15 Block 14 Lost Creek Section One, Lost Creek Section 1 Resubdivision of Lot 42 Block 14, Amended Plat of Lots 12 & 13 Block B Hills of Lost Creek Section Two, Amended Plat of Lots 22 & 23 Block C The Bluffs of Lost Creek, Amended Plat of Lots 57 & 58 Block C The Bluff of Lost Creek, Amended Plat of Lot 1 Block C Hills of Lost Creek Section One and Lot 2-B Block C Resubdivision of Lot 2 Block C Hills of Lost Creek Section One and Resubdivision of Lot 2 Block C Hills of Lost Creek Section One)

(Unplatted Land)

(Portions of Lost Creek Boulevard and Falcon Ledge Drive)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO TRACTS OF LAND. THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 730 ACRES OF LAND OUT OF THE PATTERSON MOORE SURVEY NO. 84, ABSTRACT NO. 563, THE ALEXANDER EANES SURVEY NO. 506, ABSTRACT NO. 271, THE JOHN L. BRAY SURVEY NO. 72, ABSTRACT NO. 74, THE JOSEPH FESSENDEN SURVEY NO. 73, ABSTRACT NO. 291, THE JOHN SWESEY SURVEY NO. 506, ABSTRACT NO. 702 AND THE JACOB STANDERFORD SURVEY NO. 100, ABSTRACT NO. 741 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 8.4 ACRES OF LAND OUT OF THE

JOSEPH FESSENDEN SURVEY NO. 73, ABSTRACT NO. 291 AND THE JOHN SWESEY SURVEY NO. 506, ABSTRACT NO. 702; OF WHICH APPROXIMATELY 738 ACRES OF LAND ARE TO BE MADE PART OF THE CITY OF AUSTIN. SAID APPROXIMATELY 738 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT ONE

BEING approximately 730 acres of land being a portion of those tracts of land totaling approximately 775 acres and comprising the Lost Creek MUD as described in Ordinance No. 20130606-028. Save and except out of said 775 acres, a called 45 acre tract of land annexed as full purpose to the City of Austin as adopted by Ordinance No. 20081218-033 (Case No. C7a-07-022).

TRACT TWO

BEING approximately 8.4 acres of land being that portion of Lost Creek Boulevard excluded from said Lost Creek MUD as described by metes and bounds for a called 720.91 acre tract of land described in Ordinance No. 20130606-028 and bounded on the east by the present corporate limit line of the City of Austin as adopted by Ordinance No. 20081218-033 (Case No. C7a-07-022).

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared".

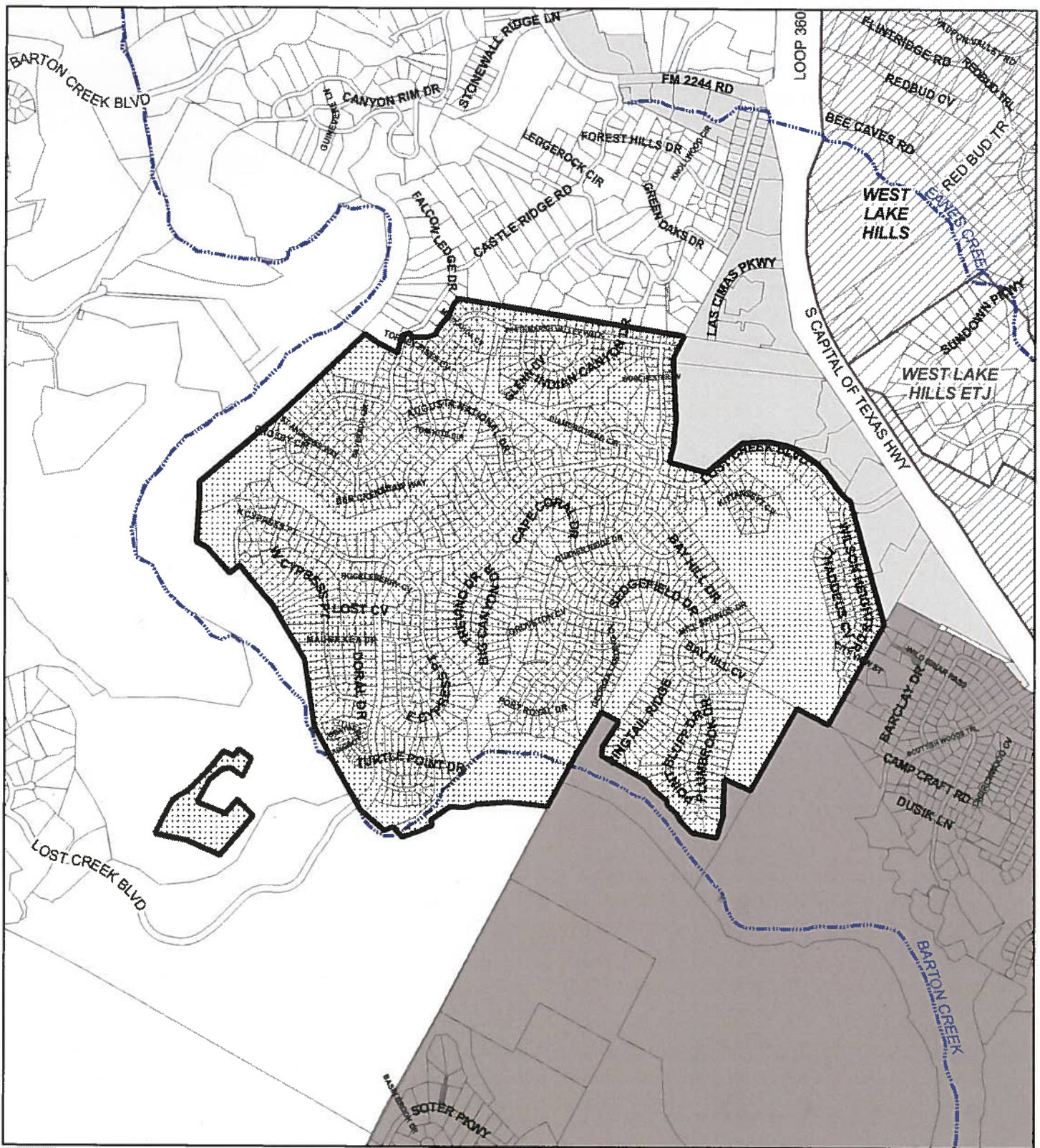
LEGAL DESCRIPTION: Mary P. Hawkins
10-19-2015

Mary P. Hawkins 10-22-15

APPROVED: Mary P. Hawkins, RPLS No. 4433
Quality Management Division
Department of Public Works
City of Austin

REFERENCES

Austin Grid D-22, D-23, D-24, E-22, E-23 & E-24
TCAD MAPS 1-0227, 1-0237, 1-1027 & 1-1037



Lost Creek MUD Remaining Property Exhibit D to the Strategic Partnership Agreement

0 1,000 2,000 4,000
Feet

Legend

Annexation Area

Lot Line

Creek

Jurisdiction

Austin Full Purpose
 Austin Limited Purpose
 Austin ETJ

Other City

Other City's ETJ



City of Austin NPZD
February 22, 2007
J. Chuter

